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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,013	04/15/2004	Laurence B. Saidman	NOR / 1138	7475

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EXAMINER

TYLER, STEPHANIE E

ART UNIT PAPER NUMBER

3754

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/825,013	Applicant(s) SAIDMAN, LAURENCE B.	
	Examiner Stephanie E. Tyler	Art Unit 3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on February 21, 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-17 is/are pending in the application.
- 4a) Of the above claim(s) 3 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/1704 & 07/19/04</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

Election/Restrictions

1. Claims 3 and 18-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on January 27, 2006.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,2,4,6,11,12,14,15 are rejected under 35 U.S.C. 102(b) as being anticipated by Matthews (2,873,069).

Matthews (2,873,069) discloses a electrically-operated dispenser (24) for dispensing a viscous liquid, having a module body (10) with a liquid outlet (12), an armature disposed in the module body (12) and movable between an opened position allowing liquid flow from said liquid outlet and a closed position preventing liquid flow from the liquid outlet; an electromagnetic coil (40) including a plurality of windings (40); and a generally U-shaped pole (38) disposed in said module body (12), said pole (38) having a first arm (38;col.2, lines 63&64) and a second arm (38;col.2, lines 63&64) extending with a generally parallel and spaced-apart relationship toward the armature (42), said plurality of windings (40) being wrapped about the first arm (38;col.2, lines

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63&64) and the second arm (38;col.2, lines 63&64), and said plurality of windings (40) of the electromagnetic coil (40) being selectively energized for generating an electromagnetic field capable of moving the armature (42) relative to said pole (38) between the opened and closed positions.

Regarding claim 2 note in figure 1 that electrically operated dispenser (24) comprises an return spring biasing (46) the armature (42) axially away from the pole (38).

Regarding claim 4 note in figure 1 that electrically-operated dispenser (24) has a plurality of windings (40) that are divided into a first set of windings (40) wrapped about the first arm (38;col.2, lines 63&64) and a second set of windings (40) wrapped about the second arm (38;col.2, lines 63&64).

Regarding claim 6 note in figure 1 that electrically-operated dispenser (24) wherein the first set of windings (40) and said second set of windings (40) are coupled in series so that said first set of windings is energizable simultaneously with said second set of windings.

Regarding claim 11 note in figure 1 that the first set of windings (40) and the second set of windings (40) have a side-by-side arrangement.

Regarding claim 12 note in figure 1 that the first and second arms (38;col.2, lines 63&64) are separated by gap from the armature (42) in at least the closed position.

Regarding claim 14 note in figure 1 that the an armature 42, and a generally U-shaped pole (38) including a first arm (38;col.2, lines 63&64) and a second arm (38;col.2, lines 63&64) extending with a generally parallel and spaced-apart relationship toward said armature (42) when positioned inside the electrically-operated dispenser

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(24), said first arm (38;col.2, lines 63&64) and said second arm (38;col.2, lines 63&64) capable of receiving windings of an electromagnetic coil (40).

Regarding claim 15 note in figure 1 that the electromagnetic coil (40) including a plurality of windings wrapped about the first arm (38;col.2, lines 63&64) and said second arm (38;col.2, lines 63&64).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 7-10,13,16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews (2,873,069) in view of Kouyoumjian (1,790,271).

The Matthews (2,873,069) reference shows the first and second windings of the electrically operated dispenser. However the Matthews reference lacks a third set of windings.

The Kouyoumjian (1,790,271) reference in figure 4 teaches a magnetic device (this is an analogous piece of art which shows that both references are magnetically actuated) having a third set of windings (4c) for the purpose shortening the core of the magnet to reduce the size and cost of the main winding (pg.3, col.1, lines12-19).

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to have modified the Matthew's (2,873,069) device with a third set

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of windings as taught by Kouyoumjian (1,790,271) in order to have a more simplified design to permit a less expensive and more reliable control device.

Regarding claim 8, Kouyoumjian (1,790,271) further discloses a magnetic device having a third set of windings that is coupled in parallel with at least one of said first set of windings and the second set of windings so that the third set of windings is energizable independent of at least one of the first set of windings and the second set of windings.

Regarding claim 9, Kouyoumjian (1,790,271) further discloses a magnetic device having a third set of windings is coupled in series with at least one of the first set of windings and the second set of windings so that the third set of windings is energizable simultaneously with at least one of the first set of windings and the second set of windings.

Regarding claim 10, Kouyoumjian (1,790,271) further discloses in figure 4 a magnetic device having a base section joining the first and the second arms, the third set of windings being wrapped about the base section.

Regarding claim 13, Kouyoumjian (1,790,271) further discloses in figure 4 a magnetic device having pole a base section joining the first and the second arms, and the windings of the electromagnetic coil are partially wrapped about the base section.

Regarding claim 16, Kouyoumjian (1,790,271) further discloses in figure 4 a magnetic device having a base section joining the first and the second arms, and the windings of the electromagnetic coil are partially wrapped about the base section.

6. Claims 5 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matthews (2,873,069) in view of Estelle et al. (6,318,599 B2).

Matthews (2,873,069) discloses an electrically operated dispenser (24) having a U-shaped pole and an electromagnetic coil that includes a first and second set of windings in series. However Matthews lacks having the first and second set of windings in parallel and operating independent of each other.

The Estelle et al. reference teaches an electrically-operated dispenser having a first set of windings (110) and a second set of windings (112) are coupled in parallel so that the first set of windings (110) is energizably independent of the second set of windings (112) (col. 23, lines 65-67 & col. 24, lines 1-3) for the purpose of controlling the power heating of the coil from the actuation power provided by the coil windings.

Therefore it would have been obvious to one having ordinary skill in the art at the time of the invention to have modified the Matthew's (2,873,069) device with the first and second set of windings in parallel and independently energized as taught by Estelle et al. (6,318,599 B2) in order to save power by having only one set of winding energized and deenergizing the other set of windings.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephanie E. Tyler whose telephone number is 571-272-8059. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Mar can be reached on 517-272-4906. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SET

A handwritten signature in black ink, appearing to read "Michael Mar".

**MICHAEL MAR
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700**